

# JOURNAL OF THE SENATE

Tuesday, April 28, 1953

193

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 27, 1953.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

—38.

A quorum present.

Prayer was offered by the Senate Chaplain, Reverend W. E. Hall.

The reading of the Journal was dispensed with.

The Senate daily Journal of Monday, April 27, 1953, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Crary, Chairman of the Committee on County Organization, reported that the Committee had carefully considered the following Bill:

H. B. No. 177—A bill to be entitled An Act amending Section 155.15, Florida Statutes, authorizing the Board of County Commissioners to determine the site or location of any County Hospital; and procuring lands for same.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Crary, Chairman of the Committee on County Organization, reported that the Committee had carefully considered the following Bill:

S. B. No. 304—A bill to be entitled An Act authorizing the Board of County Commissioners of any County of the State of Florida to create a historical commission for such County; providing who shall be members of such Commission; prescribing their powers and duties; providing who shall be Chairman, and Secretary; providing that the expenses of such a Commission shall be paid by the County Commissioners of such County out of the General Fund; that the Clerk of the Circuit Court of such County shall file and record without charge historical data and material; and authorizing the County Commissioners of such County to provide a suitable place as a repository for such data and material.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Boyle, Chairman of the Committee on Motor Vehicles, reported that the Committee had carefully considered the following Bill:

S. B. No. 407—A bill to be entitled An Act to amend Sections 526.01 and 526.09, Florida Statutes, relating to the prohibition against fraud and deception in the sale, etc., of liquid fuels, lubricating oils, greases or other similar products and the enforcement thereof.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bill:

S. B. No. 51—A bill to be entitled An Act amending Section 704.01, 704.02, 704.03, Florida Statutes, 1949, relating to easements and providing for the use and maintenance of easements over certain lands when any land desired for use as a dwelling or for agricultural or stockraising purposes has no practical route of egress and ingress.

—and the Committee recommends that the Committee Substitute therefor, as reported herewith, pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

## ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

S. B. No. 274—A bill to be entitled An Act making appropriations for the salaries of the officers and employees of the State and for the current operating expenses of the departments and branches of the State Government and for the capital outlay and repairs as provided for herein for the annual periods beginning July 1, 1953, and July 1, 1954.

—begs leave to report that the Senate amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk.

And Senate Bill No. 274, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with House amendments, for engrossing—

S. B. No. 194—A bill to be entitled An Act authorizing the integration of territory into the City of Winter Haven, which territory is adjacent to the city limits of the City of Winter Haven as they now or may hereafter exist; providing for the procedure to be followed in order to integrate such territory; providing for the extension of municipal services into such integrated territory; providing for certain exemptions of such integrated territory from the obligation of certain existing indebtedness of the City of Winter Haven, outstanding at the date of the integration of such territory; providing for the participation of the residents of such integrated area in the government of the City of Winter Haven; providing for the extension of the corporate limits of the City of Winter Haven and for the powers, duties and jurisdictions of the municipal government in the territory within said limits as extended.

—begs leave to report that the House amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk.

And Senate Bill No. 194, contained in the above report was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Senator Dayton, Chairman of the Committee on Appropriations, moved that Senate Bill No. 66 be recalled from the Committee on Appropriations.

Which was agreed to by a two-thirds vote and it was so ordered.

By unanimous consent Senator Collins withdrew Senate Bill No. 66.

Senator Ripley moved that Senate Bill No. 144 be recalled from the Committee on County Organizations.

Which was agreed to by a two-thirds vote and it was so ordered.

By unanimous consent Senator Ripley withdrew Senate Bill No. 144.

Senator McArthur moved that Senate Bill No. 198, now on the Calendar of Bills on Second Reading, be recommended to the Committee on Judiciary "B", for further consideration.

Which was agreed to and it was so ordered.

### INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS.

By Senator Rogells—

S. B. No. 489—A bill to be entitled An Act amending Section 58.09, Florida Statutes, dispensing with payment of court costs and process service fees in actions at law or in equity upon filing affidavit of indigency and certificate of member of the Bar of the State of Florida; providing for the reimbursement from County fund of officers incurring personal expense in complying with the terms hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Franklin—(By Request)—

S. B. No. 490—A bill to be entitled An Act to abolish discriminatory wage rates based on sex.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Shands—

S. B. No. 491—A bill to be entitled An Act to confer additional powers upon the City of High Springs, a municipal corporation in Alachua County, Florida; to authorize and empower said city to acquire, construct, improve, extend, enlarge, maintain, equip, repair and operate buildings in the nature of warehouses and markets; to authorize the pledging of utility service taxes; to provide for paying the cost of such building or buildings by the issuance of revenue bonds payable solely from revenues; to provide for the imposition and collection of rentals, fees and charges for the use of such facilities; to authorize the pledging to the payment of such bonds of the revenues of such facilities; to grant to the city power to acquire necessary property and to exercise the power to eminent domain; and to prescribe the powers and duties of the city in connection with the foregoing and the rights and remedies of the holders of any bonds issued under the provisions of this Act.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 491 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Shands moved that the rules be waived and Senate Bill No. 491 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 491 was read the second time by title only.

Senator Shands moved that the rules be further waived and Senate Bill No. 491 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 491 was read the third time in full.

Upon the passage of Senate Bill No. 491 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 491 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Collins—

S. B. No. 492—A bill to be entitled An Act to amend Section 476.18, Florida Statutes, relating to barbers, and the barbers' sanitary commission, its organization, quarters, seal, employees, compensation and reports of commission; quorum; bond of secretary.

Which was read the first time by title only and referred to the Committee on Governmental Reorganization.

By Senator Collins—

Senate Joint Resolution No. 493:

A JOINT RESOLUTION AMENDING ARTICLE III OF THE FLORIDA CONSTITUTION BY ADDING THERETO A NEW SECTION TO BE NUMBERED BY THE SECRETARY OF STATE; RELATING TO EXTENSION OF LEGISLATIVE SESSIONS AND THE COMPENSATION OF LEGISLATORS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Article III of the Florida Constitution by adding thereto a new section to be numbered by the Secretary of State is hereby agreed to and shall be submitted to the qualified electors for ratification or rejection at the general election to be held in November, 1954.

Section —. **Extension of session; compensation of legislators.**—The regular sixty-day biennial session of the legislature may be extended not exceeding thirty days by a majority vote of both houses. Any such extension need not be for consecutive days, and recesses therein may be taken by joint action of both houses; provided, however, that no such extended session may extend later than the 1st day of the month of September following the regular biennial session. During any such extended session, no additional proposed legislation shall be introduced unless consent is first obtained by a two-thirds vote of the members of the body into which it is sought to be introduced.

The compensation of legislators shall be twelve hundred (\$1200.00) dollars each year and shall be paid in monthly installments of one hundred (\$100.00) dollars each. During the time the legislature is in session each legislator shall receive per diem and travel expenses as provided by law, but such may not exceed the allowances for such expenses provided for other state officials under general law.

This amendment shall take effect and become operative January 1, 1955.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Collins—

S. B. No. 494—A bill to be entitled An Act revising and amending Sections 15.01, 15.02, 15.04, 15.06, 15.08 and 15.09, Florida Statutes, and adding sections 15.13 and 15.14, all pertaining to the office and duties of Secretary of State.

Which was read the first time by title only and referred to the Committee on Governmental Reorganization.

By Senator Baker—

S. B. No. 495—A bill to be entitled An Act relating to elections, amending Section 99.021, Subsections (1) and (2) of Section 100.111 and Subsection (3) of Section 103.111, Florida Statutes, requiring candidates to pledge themselves to vote for party nominees; providing for the filling of vacancies occurring after the second primary and before the general election by the State Executive Committee of the political parties and providing for the filling of vacancies in County Executive Committees of political parties by the State Executive Committee of the political parties.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Boyle—

S. B. No. 496—A bill to be entitled An Act amending Section 321.02, Florida Statutes; granting the Executive Board of the Department of Public Safety certain authority to provide housing facilities for patrolmen; and requiring advertisements for bids on purchases of more than one thousand dollars.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Ripley—

S. B. No. 497—A bill to be entitled An Act to amend Section 689.15, Florida Statutes, 1951, relating to estates by survivorship.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator King—

S. B. No. 498—A bill to be entitled An Act relating to the prevention of accidents due to proximity of high-voltage lines; providing for precautions to be taken in the proximity of high-voltage lines; making provision for the administration and enforcement of this Act by the Florida Industrial Commission; prescribing penalties for violations of this Act; repealing all conflicting laws; and providing for the effective date of this Act.

Which was read the first time by title only and referred to the Committee on Public Utilities.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,

April 16, 1953.

*Hon. Charley E. Johns,  
President of the Senate.*  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Messrs. Pittman and Johnson of Hillsborough and Okell of Dade—(1951 Session).

H. B. 1467—An Act relating to all counties having a population of not less than two hundred thousand (200,000) nor more than two hundred and seventy-five thousand (275,000) according to the latest official census; authorizing an extra day of horse and dog racing in such counties if the profits from such extra days are donated for athletic scholarships at institutions of higher learning located in such counties; providing that the extra days be in addition to any other additional days of racing heretofore authorized.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1467 (1951 Session), contained in the above message was read by title, together with the following objections thereto of the Honorable Fuller Warren, former Governor of Florida:

#### STATE OF FLORIDA EXECUTIVE DEPARTMENT

TALLAHASSEE

June 11, 1951

*Honorable R. A. Gray  
Secretary of State  
The Capitol  
Sir:*

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III of the Constitution of this State, I hereby transmit to you, with my objections, House Bill 1467, enacted by the Legislature of 1951, and entitled:

"AN ACT relating to all counties having a population of not less than two hundred thousand (200,000) nor more than two hundred seventy-five thousand (275,000) according to the latest official census; authorizing an extra day of horse and dog racing in such counties if the profits from such extra days are donated for athletic scholarships at institutions of higher learning located in such counties; providing that the extra days be in addition to any other additional days of racing heretofore authorized."

This is a local or so-called population bill which deals solely with Hillsborough County, and has for its purpose the authorizing by the State Racing Commission of an extra day of racing by horse and dog tracks in Hillsborough County, the proceeds to go to private corporations located in that county, to-wit, privately owned institutions of higher learning. The effect of the act is to use the state tax collection machinery for private purposes. This, in my opinion, is unconstitutional in that it would raise money by state taxing machinery not for state purposes.

This bill is also bad because it starts a dangerous precedent. If this county can by a local bill add an extra day of racing to the horse tracks and dog tracks in this county and take the proceeds for private purposes, every other county in the state under the same principle can do the same thing. There would be no limit to the type of private enterprises that the money could be given to. This would ultimately, if other counties followed this lead, add more and more days of racing each year until finally there would be so much racing it would kill the goose that lays the golden egg.

There is no legal or even remote connection between the using of the state taxing machinery to raise money and the giving of that money to private enterprises which perform no state function.

For the foregoing reasons, I, therefore, withhold my approval from House Bill 1467, Legislative Session of 1951, and I hereby veto the same.

Respectfully,

FULLER WARREN  
Governor

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of House Bill No. 1467 (1951 Session) the roll was called and the vote was:

Yeas—27.

Mr. President	Crary	Gautier (28th)	Melvin
Beall	Davis	Gautier (13th)	Pearce
Boyle	Dayton	Hodges	Ripley
Branch	Douglas	Houghton	Rodgers
Bronson	Floyd	King	Rogells
Collins	Franklin	Leaird	Shands
Connor	Fraser	Lindler	

Nays—8.

Baker	Clarke	McArthur	Sturgis
Carlton	Lewis	Morrow	Tapper

So House Bill No. 1467 (1951 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 16, 1953

Hon. Charley E. Johns,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Messrs. Simpson of Jefferson and Haley and Tate of Sarasota—

H. B. No. 422—(1951 Session)—An Act to require the State Welfare Board and the Comptroller through the several district welfare boards to file with the Clerks of the Circuit Courts of the several Counties a quarterly list of those receiving welfare payments; and authorizing the suspension of the provisions of this Act by the Board of Commissioners of State Institutions, and further placing certain limitations thereon.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 422 (1951 Session), contained in the above message was read by title, together with the following objections thereto of the Honorable Fuller Warren, former Governor of Florida:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT  
TALLAHASSEE

June 11, 1951

Honorable R. A. Gray  
Secretary of State  
The Capitol

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III of the Constitution of this State, I hereby transmit to you, with my objections, House Bill 422, enacted by the Legislature of 1951, and entitled:

"AN ACT TO REQUIRE THE STATE WELFARE BOARD AND THE COMPTROLLER THROUGH THE SEVERAL DISTRICT WELFARE BOARDS TO FILE WITH THE CLERKS OF THE CIRCUIT COURT OF THE SEVERAL COUNTIES A QUARTERLY LIST OF THOSE RECEIVING WELFARE PAYMENTS; AND AUTHORIZING THE SUSPENSION OF THE PROVISIONS OF THIS ACT BY THE BOARD OF COMMISSIONERS OF STATE INSTITUTIONS, AND FURTHER PLACING CERTAIN LIMITATIONS THEREON."

This bill opens to the inspection of the public generally a list of the names of all persons in this state who receive welfare payments under the provisions of the Federal Social Security law and the amounts of such payments.

In my opinion this is a dangerous step for this state to make. I believe if this Act should become a law it would cause Florida to lose the substantial Federal contribution to the State for its elderly needy citizens.

The Social Security Act speaks specifically to this point and certification of grants to states are withheld, after reasonable notice and opportunity for hearing, if in the administration of the plan there is a failure to comply substantially with any provision required by the act to be included in the plan. If a state revises its plan, moreover, it is of course necessary that the revised plan be approved, and this can be done only if the revised plan meets the conditions set forth in the Social Security Act.

The provision protecting the confidentiality of information regarding recipients of public assistance is part of the Social Security Act. Titles I, IV and X of the act covering old-age assistance, aid to the blind, and aid to dependent children, and now the new title XIV, aid to the permanently and totally disabled, require that state agencies provide safeguards which restrict the use or disclosure of information about applicants and recipients to purposes directly connected with the administration of assistance. This provision for titles I, IV and X was inserted by Congress in 1939. The intent of the amendments is shown in the quotation from the Report of the House Ways and Means Committee:

"This is designed to prevent the use of such information for political and commercial purposes . . . All three assistance titles would be thus amended, the obvious purpose being to insure efficient administration and to protect recipients from humiliation and exploitation."

All states have provisions similar to those included in the Federal Social Security Act which protect the confidential character of personal information relating to public assistance recipients.

Before Congress took this action, assistance recipients were often taken advantage of by persons running for public office or business concerns with questionable practices. Even today, members of these groups as well as others, request lists of recipients for purposes other than those connected with assistance administration.

I do not interpret this requirement of the Social Security Act to prevent publication of information concerning the operations of public assistance agencies designed to inform the public regarding such matters as the size of expenditures involved, the financing of such expenditures, classification of the causes of dependency, the range in payments made, the standards for appraising need, and the procedures followed for determining need in the individual case. Neither do I interpret this requirement of the Social Security Act to prevent providing full information, including information relating to specific individual recipients, to legislative and administrative groups charged with investigating or appraising the operations of a public assistance agency, provided of course that these groups themselves establish effective safeguards to prevent the use or disclosure of the information for unauthorized purposes.

There can be no question that the various aspects of social security are matters of vital public concern. As regards the public assistance programs, they are of concern not only to the beneficiaries and potential beneficiaries but also to the taxpayers and everyone who is concerned about good government. However, I believe that indiscriminate publicity would not promote but would hamper efficient administration and would impose needless humiliation and insecurity on public assistance recipients. The circumstances which lie behind requests for assistance are often personal and painful. Yet, if the assistance agency is to do its job properly, information about personal situations must be made known to the assistance agency worker and must become part of the record. If the applicant had to feel that such information would become public property, it would be most difficult, if not impossible, for him to disclose it and would reduce the possibility of establishing constructive relations between the agency and the persons who seek assistance.

In the final analysis, proper and efficient administration is the key to protection of the taxpayers' interests. Taxpayers are entitled to assurance that tax money is expended only to the extent necessary to meet proven needs and that every

effort is made to restore individuals and families to a self-sustaining basis. If proper and efficient administration is the touchstone, rather than personal information concerning recipients of public assistance, then the taxpayers' concern can be met by providing the essentials of proper and efficient administration such as adequate organization, recruitment of staff on a merit basis, active citizen participation as members of administrative boards or advisory groups and external review and study by appropriate legislative and administrative groups.

While it is true the Act seeks to prevent any use of the list for any political or commercial purpose, as everyone knows, when the list is filed with the Clerk of the Circuit Court it becomes public property and its use would be very hard to restrict.

Since the passage of this Act by the Legislature of Florida, I have received from the Acting Federal Social Security Administrator in Washington a telegram stating that if this Act become a law he would have no option but to recommend that the Administrator discontinue Federal public assistance grants to the State of Florida.

I am not willing for the very life blood of our elderly and needy people in the sunset years of their lives, the blind, the dependent children and the permanently and totally disabled citizens of our state to be taken away or even run the risk of being jeopardized.

For the foregoing reasons I, therefore, withhold my approval from House Bill 422, Legislative Session of 1951, and I hereby veto the same.

Respectfully,

FULLER WARREN,  
Governor

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of House Bill No. 422 (1951 Session) the roll was called and the vote was:

Yeas—34.

Baker	Crary	Hodges	Morrow
Black	Davis	Houghton	Pearce
Boyle	Dayton	Johnson	Pope
Branch	Douglas	King	Ripley
Bronson	Floyd	Leaird	Rodgers
Carlton	Franklin	Lewis	Shands
Clarke	Fraser	Lindler	Sturgis
Collins	Gautier (28th)	McArthur	
Connor	Gautier (13th)	Melvin	

Nays—3.

Mr. President    Rogells            Tapper

So House Bill No. 422 (1951 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
April 16, 1953.

Hon. Charley E. Johns,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Mr. Fascell of Dade—

H. B. No. 203—(1951 Session) An Act amending Sections 216.02, 216.10, 216.11, 216.16, and 216.17, Florida Statutes, relating to State Budget Commission; providing for separate sections of budget for operational expenditures and for build-

ing and equipment expenditures; prohibiting transfer or use of allotted funds between operational expenditures and building and equipment expenditures.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 203 (1951 Session), contained in the above message was read by title, together with the following objections thereto of the Honorable Fuller Warren, former Governor of Florida:

STATE OF FLORIDA  
EXECUTIVE DEPARTMENT

TALLAHASSEE

June 11, 1951

Honorable R. A. Gray  
Secretary of State  
Tallahassee, Florida

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III of the Constitution of this State, I hereby transmit to you, with my objections, House Bill No. 203, enacted by the Legislature of 1951 and entitled:

"An Act amending Sections 216.02, 216.10, 216.11, 216.16, and 216.17, Florida Statutes, relating to State Budget Commission; providing for separate sections of budget for operational expenditures and for building and equipment expenditures; prohibiting transfer or use of allotted funds between operational expenditures and building and equipment expenditures."

This is a Bill providing for separate sections of budgets submitted by the various state departments to the Budget Commission to show the amount for operational expenditures and for building and equipment expenditures. It prohibits the transfer or use of allotted funds between operational expenditures and building and equipment expenditures. In my opinion this Act is not only unnecessary but could have dangerous effects. The State Budget Commission, under the present laws, has sufficient authority to allocate and safeguard the funds of the various state departments, and at the same time make such necessary transfer of funds as might be necessary to meet any emergency that might arise.

For the foregoing reason, I therefore withhold my approval from House Bill 203, Legislative Session of 1951, and I hereby veto same.

Respectfully,

FULLER WARREN  
Governor

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of House Bill No. 203 (1951 Session) the roll was called and the vote was:

Yeas—34.

Mr. President	Crary	Houghton	Pearce
Baker	Davis	Johnson	Pope
Beall	Dayton	King	Ripley
Branch	Douglas	Leaird	Rodgers
Bronson	Floyd	Lewis	Rogells
Carlton	Franklin	Lindler	Shands
Clarke	Gautier (28th)	McArthur	Sturgis
Collins	Gautier (13th)	Melvin	
Connor	Hodges	Morrow	

Nays—None.

So House Bill No. 203 (1951 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding,

and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,

April 17, 1953

*Hon. Charley E. Johns,  
President of the Senate.*  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Mr. Cramer of Pinellas—

H. B. No. 1662 (1951 Session)—An Act to amend Sections 2 and 4 of Chapter 26463, Acts of 1949, providing uniform hours during which all establishments dealing in alcoholic beverages in Pinellas County, Florida, must remain closed; providing a penalty for the violation thereof; and repealing all laws and parts of laws in conflict therewith, by restricting the hours of sale of certain non-alcoholic beverages at public places for use in mixing with alcoholic beverages.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 1662 (1951 Session), contained in the above message was read by title, together with the following objections thereto of the Honorable Fuller Warren, former Governor of Florida:

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

June 11, 1951

*Honorable R. A. Gray  
Secretary of State  
Tallahassee, Florida*

Sir:

Pursuant to the authority vested in me as Governor of Florida, under the provisions of Section 28, Article III of the Constitution of this State, I hereby transmit to you, with my objections, House Bill 1662, enacted by the Legislature of 1951 and entitled:

"AN ACT to amend Sections 2 and 4 of Chapter 26463, Acts of 1949, providing uniform hours during which all establishments dealing in alcoholic beverages in Pinellas County, Florida, must remain closed; providing a penalty for the violation thereof; and repealing all laws and parts of laws in conflict therewith, by restricting the hours of sale of certain non-alcoholic beverages at public places for use in mixing with alcoholic beverages."

This bill seeks to provide uniform hours during which all establishments dealing in alcoholic beverages in Pinellas County, Florida, must remain closed.

The purpose and intention of the bill is probably good but the bill is discriminatory in that there is exempted from the provisions of the Act any dance hall which has a table, seating and dancing capacity of five hundred or more persons.

I see no reason why, if this is a good law, it should not apply to all places conducting a similar business and I see no reason for making an exemption for certain large establishments and discriminate against the smaller ones.

For the foregoing reason, I therefore withhold my approval

from House Bill 1662, Legislative Session of 1951, and I hereby veto same.

Respectfully,

FULLER WARREN,  
Governor

The President put the question: "Shall the bill pass, the Governor's objections to the contrary notwithstanding?"

Upon the passage of House Bill No. 1662 (1951 Session) the roll was called and the vote was:

Yeas—34.

Mr. President	Davis	Houghton	Pearce
Baker	Dayton	Johnson	Pope
Beall	Douglas	King	Ripley
Bronson	Floyd	Leaird	Rodgers
Carlton	Franklin	Lewis	Rogells
Clarke	Fraser	Lindler	Shands
Collins	Gautier (28th)	McArthur	Sturgis
Connor	Gautier (13th)	Melvin	
Crary	Hodges	Morrow	

Nays—None.

So House Bill No. 1662 (1951 Session) passed by the required Constitutional two-thirds vote of all members present, the Governor's objections to the contrary notwithstanding, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 24, 1953

*Hon. Charley E. Johns,  
President of the Senate.*  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Dowda of Putnam—

H. B. No. 111—A bill to be entitled An Act providing for the enforcement of orders and decrees for alimony, support and maintenance of children, and suit money, by courts other than the one in which such orders or decrees were entered; fixing the venue for such enforcement proceedings; providing for the transfer of such enforcement proceedings; and providing for costs, fees and expenses therein.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 111, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "A".

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 24, 1953

*Hon. Charley E. Johns,  
President of the Senate.*  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Murray of Polk—

H. B. No. 374—A bill to be entitled An Act relating to probate law and limitation of actions on claims against estates.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 374, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B".

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1953.

Hon. Charley E. Johns,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1953 Session of the Florida Legislature—

By Messrs. Campbell of Okaloosa, Hathaway of Charlotte, Johnson of Hillsborough and Stokes of Bay—

HOUSE JOINT RESOLUTION NO. 302—

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VI OF THE CONSTITUTION, RELATING TO THE RIGHT OF SUFFRAGE AND ELIGIBILITY, BY AMENDING SECTIONS 1 AND 3 THEREOF PERTAINING TO THE MINIMUM AGE AND OATH OF ELECTORS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following Amendment to Article VI, Sections 1 and 3 of the Constitution of Florida is hereby agreed and shall be submitted to the electors of the State of Florida for ratification or rejection at the next General Election to be held in November, A. D. 1954, as follows:

Section 1. **Electors.**—Every person of the age of eighteen years and upward that shall, at the time of registration, be a citizen of the United States, and that shall have resided and had his habitation, domicile, home and place of permanent abode in Florida for one year and in the county for six months, shall in such county be deemed a qualified elector at all elections under this Constitution. Naturalized citizens of the United States at the time of and before registration shall produce to the registration officer his certificate of naturalization or a duly certified copy thereof.

Section 3. **Oath of electors.** —Every elector shall at the time of his registration take and subscribe to the following oath: "I do solemnly swear or affirm that I will protect and defend the Constitution of the United States and the State of Florida, that I am eighteen years of age, and have been a resident of the State of Florida for twelve months and of this county for six months, and I am qualified to vote under the Constitution and laws of the State of Florida."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Joint Resolution No. 302, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1953

Hon. Charley E. Johns,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform

the Senate that the House of Representatives has passed by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1953 Session of the Florida Legislature—

By Mr. Murray of Polk—

HOUSE JOINT RESOLUTION NO. 251—A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION 2 OF ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATING TO THE REVISION OF SUCH CONSTITUTION AND PROVIDING FOR A REFERENDUM ELECTION AS A PREREQUISITE TO THE TAKING EFFECT OF ANY REVISED CONSTITUTION.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment of Section 2 of Article XVII of the Constitution of the State of Florida be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for approval or rejection at the next general election to be held in 1954; that is to say that Section 2 of Article XVII of the Constitution of the State of Florida be amended so as to read as follows:

Section 2. Method of revising Constitution.—If at any time the Legislature, by a vote of two-thirds of all the members of both Houses, shall determine that a revision of this Constitution is necessary, such determination shall be entered upon their respective Journals, with the yea's and nay's thereon. Notice of said action shall be published weekly in one newspaper in every county in which a newspaper is published, for three months preceding the next general election of Representatives and in those counties where no newspaper is published, notice shall be given by posting at the several polling precincts in such counties for six weeks next preceding said election. The electors at said election may vote for or against the revision in question. If a majority of the electors so voting be in favor of revision, the Legislature chosen at such election shall provide by law for a Convention to revise the Constitution, said Convention to be held within six months after the passage of such law. The Convention shall consist of a number equal to the membership of the House of Representatives, and shall be apportioned among the several counties in the same manner as members of said House. Any revised Constitution which may be adopted by any such Convention shall be submitted to the electors of the state for approval or rejection in the next general election or in a special election to be called as determined by such Convention and such revised Constitution shall take effect only when approved by a majority of the electors voting thereon.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Joint Resolution No. 251, contained in the above message, was read the first time in full and referred to the Committee on Constitutional Amendments and the Committee on Judiciary "C", in the order named.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1953

Hon. Charley E. Johns,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Land and Keezel of Orange—

H. B. No. 250—A bill to be entitled An Act relating to the practice of public accounting amending Section 473.28, Florida Statutes, 1951, and providing for the issuance of certificates as certified public accountants.



—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 250, contained in the above message, was read the first time by title only.

Senator Rodgers moved that the rules be waived and House Bill No. 250 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
April 23, 1953.

*Hon. Charley E. Johns,  
President of the Senate.  
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. David of Broward and Cook of Flagler—

H. B. No. 45—A bill to be entitled An Act relating to proceedings supplemental to eminent domain; amending Chapter 74, Florida Statutes, by Adding Sections 74.141 and 74.142, providing said chapter shall apply to proceedings by any municipality, rural electric co-operative corporation, telephone co-operative corporation or public utility corporation having the statutory power of eminent domain brought for the purpose of securing rights-of-way or easements for transmission lines only, and providing for the time of trial and effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 45, contained in the above message, was read the first time by title only.

Senator Beall moved that the rules be waived and House Bill No. 45 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
April 23, 1953.

*Hon. Charley E. Johns,  
President of the Senate.  
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Costin of Gulf—

H. B. No. 138—A bill to be entitled An Act relating to public health; requiring reports of communicable diseases by certain practitioners of the healing arts to the State Board of Health, and providing penalty for failure to make such reports.

Also—

By Messrs. Elliott and Bollinger of Palm Beach—

H. B. No. 295—A bill to be entitled An Act to amend Chapter 125, Florida Statutes, 1951, relating to powers and duties of

county commissioners, by adding a section at the end thereof granting power to the Boards of County Commissioners of the several counties to make regulations for the government of county parks, bathing beaches, recreation areas and the like, prescribing methods of enforcement and penalties for the violation thereof.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 138, contained in the above message, was read the first time by title only.

Senator Pearce moved that the rules be waived and House Bill No. 138 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 295, contained in the above message, was read the first time by title only and referred to the Committee on County Organizations.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 23, 1953

*Hon. Charley E. Johns,  
President of the Senate.  
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Johnson of Hillsborough—

H. B. No. 169—A bill to be entitled An Act to amend Section 317.01, Florida Statutes, relating to regulation of traffic on highways by the addition of Subsection (29) thereto, defining bicycles.

Also—

By Mr. Ayres of Marion—

H. B. No. 293—A bill to be entitled An Act amending subsection (3) of Section 458.13, Florida Statutes, 1951, relating to registration with the State Board of Health of medical school graduates, and registration with said Board of resident physicians, assistant resident physicians, and interns in any hospital in this State; requiring hospitals to furnish State Board of Health with a list of said employees; and prohibiting the employment of such employees for a period of more than three years unless duly licensed as a physician by the Board of Medical Examiners; and constituting the violation of this subsection a misdemeanor.

Also—

By Mr. Surles of Polk—

H. B. No. 225—A bill to be entitled An Act relating to schools; amending Subsection (1) of Section 236.07, Florida Statutes, relating to the basis of distribution of the foundation program fund to the several counties and defining the ranks of teacher certificate holders; and repealing Section 231.22, Florida Statutes, providing that special certificates may be issued by the state superintendent of public instruction in certain circumstances.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 169, contained in the above message, was read the first time by title only and referred to the Committee on Transportation and Traffic.



And House Bill No. 293, contained in the above message, was read the first time by title only and referred to the Committee on Public Health.

And House Bill No. 225, contained in the above message, was read the first time by title only and referred to the Committee on Education.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 23, 1953

*Hon. Charley E. Johns,  
President of the Senate.  
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Judiciary-Fiduciary—

Committee Substitute for H. B. No. 176—A bill to be entitled An Act amending Subsection (2) of Section 733.18, Florida Statutes of 1951, relating to payment of and objections to claims.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Committee Substitute for House Bill No. 176, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C".

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 22, 1953

*Hon. Charley E. Johns,  
President of the Senate.  
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Bryant and Ayres of Marion—

H. B. No. 102—A bill to be entitled An Act providing for the assignment of moneys due under contracts with the State of Florida, or any department, board, commission, institution or agency of the state, for one thousand dollars (\$1,000.00) or over: limiting the number of such assignments: providing the form of notice and method of filing such assignments: providing that any assignment made pursuant to this act shall be valid for all purposes. Repealing all laws in conflict herewith, and providing for the effective date of this act.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 102, contained in the above message, was read the first time by title only.

Senator Clarke moved that the rules be waived and House Bill No. 102 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 22, 1953

*Hon. Charley E. Johns,  
President of the Senate.  
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Ayres of Marion—

H. B. No. 101—A bill to be entitled An Act to amend Chapter 553, Florida Statutes 1951, by adding thereto a new section to be numbered 553.13, providing that no bond shall be required of plumbing contractors in any county in which the Board of County Commissioners fails to employ a plumbing inspector; repealing all laws in conflict herewith and providing for the effective date hereof.

Also—

By Messrs. Fascell, Floyd and Okell of Dade—

H. B. No. 233—A bill to be entitled An Act amending Section 469.04, Florida Statutes, 1949, relating to the examination of persons engaged or engaging in the business or work of installing plumbing or house drainage; providing for the examination of applicants desiring to engage in or work at the business of plumbing; providing for the fees to be paid for issuance of a certificate for master plumbers, employing plumbers and journeyman plumbers; repealing all laws or parts of laws in conflict with this act.

Also—

By Mr. Ayres of Marion—

H. B. No. 270—A bill to be entitled An Act relating to deputy sheriffs providing for their appointment, duties, compensation and other matters; providing certain exemptions from Section 30.09, Florida Statutes, and repealing all laws in conflict herewith.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 101, contained in the above message, was read the first time by title only and referred to the Committee on Labor and Industry.

And House Bill No. 233, contained in the above message, was read the first time by title only and referred to the Committee on Labor and Industry.

And House Bill No. 270, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C".

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 24, 1953.

*Hon. Charley E. Johns,  
President of the Senate.  
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Burwell and David of Broward—

H. B. No. 60—A bill to be entitled An Act to amend Section 286.17, Florida Statutes, providing additional duties of the Florida State Advertising Commission in promoting and developing ports in the State of Florida.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 60, contained in the above message, was

read the first time by title only and referred to the Committee on Publicity and Advertising.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
April 22, 1953.

*Hon. Charley E. Johns,  
President of the Senate.  
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Cook of Flagler and Stratton of Nassau—

H. B. No. 19—A bill to be entitled An Act to authorize the Florida Railroad and Public Utilities Commission to issue certificates of public convenience and necessity to persons operating or constructing any line, facility, or system, or extension thereof, used in furnishing telephone service within this State; providing the procedure therefor; prescribing penalties for violations: and for other purposes.

Also—

By Mr. Shepperd of St. Johns—

H. B. No. 22—A bill to be entitled An Act to amend Section 283.02, Florida Statutes, relating to public printing contracts by authorizing a member of the Florida Legislature to receive such a contract when submitting the lowest competitive bid therefor.

Also—

By Messrs. Burwell and David of Broward—

H. B. No. 58—A bill to be entitled An Act relating to the records kept by the clerks of the circuit courts: providing for an alternative system of one general book and one index thereto; providing that certified copies of this one "official records" book become a lien or notice in the same manner as other records now kept.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 19, contained in the above message, was read the first time by title only.

Senator Franklin moved that the rules be waived and House Bill No. 19 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 22, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C".

And House Bill No. 58, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B".

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1953

*Hon. Charley E. Johns,  
President of the Senate.  
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Military and Veterans Affairs—

H. B. No. 540—A bill to be entitled An Act amending Sec-

tion 876.05, Florida Statutes relating to loyalty oaths of state employees.

Also—

By Mr. Duncan of Lake—

H. B. No. 190—A bill to be entitled An Act amending Section 733.01, Florida Statutes, relating to personal representatives taking possession of entire estate of decedents and the application of estate income.

Also—

By Mr. Johnson of Hillsborough—

H. B. No. 211—A bill to be entitled An Act relating to the Florida Plumbing Control Act of 1951; amending Sections 553.05 (1), (3), (4), 553.07, 553.08 and 553.04 (3), Florida Statutes, relating to plumbing permits and inspectors, providing for exemption by Board of County Commissioners of certain municipalities and governing, service or sanitary districts from provisions of law governing county plumbing permits and inspectors and providing for such permits and inspectors within said exempted municipalities and districts, and amending form of bond to conform to same, and providing the effective date of this Act.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 540, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "C".

And House Bill No. 190, contained in the above message, was read the first time by title only.

Senator Rodgers moved that the rules be waived and House Bill No. 190 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 211, contained in the above message, was read the first time by title only.

Senator Beall moved that the rules be waived and House Bill No. 211 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,  
April 22, 1953

*Hon. Charley E. Johns,  
President of the Senate.  
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted with amendments—

By the Committee on Rules and Calendar—

Senate Concurrent Resolution No. 147:

A CONCURRENT RESOLUTION ADOPTING A SPECIAL RULE PROVIDING DURING THE LAST TWENTY WORKING DAYS OF THE 1953 SESSION, THE SENATE AND/OR HOUSE WILL NOT CONSIDER LEGISLATION FIXING, CHANGING, MODIFYING OR HAVING REFERENCE TO DATES OR TIMES OF OPERATION OF ESTABLISHMENTS WHERE PARIMUTUEL WAGERING IS CONDUCTED IN FLORIDA.

WHEREAS, in previous Sessions of the Legislature, during the latter part of each Session, controversial legislation dealing with establishments where parimutuel wagering is con-

ducted has taken up a considerable portion of the working time of the Senate and House and has prevented both Houses from considering legislation of State-wide importance; and

WHEREAS, both the Senate and House desire to adopt a rule to prevent a recurrence during the 1953 Session of the conditions above referred to;

NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

Section 1. That the Senate and the House of Representatives do hereby adopt as a rule of procedure for the guidance of the two branches of the State Legislature a special rule as follows, to-wit:

"During the last twenty working days of the 1953 Session of the Legislature, the Senate and the House of Representatives will not consider any legislation fixing dates of operation, changing dates of operation, or otherwise pertaining to or dealing with the period of operation of establishments in Florida where parimutuel wagering is conducted."

which amendments read as follows:

Amendment No. 1—

In Section 1, line 5, of the bill, strike out the words: "twenty working days" and insert the following in lieu thereof: "ten working days".

Amendment No. 2—

In Title, line 2, of the bill, strike out the words: "twenty" and insert the following in lieu thereof: "ten".

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 147, contained in the above message was read, together with House amendments thereto.

Senator Franklin moved that the Senate concur in House Amendment No. 1 to Senate Concurrent Resolution No. 147.

Which was agreed to and the Senate concurred in House Amendment No. 1 to Senate Concurrent Resolution No. 147.

Senator Franklin moved that the Senate concur in House Amendment No. 2 to Senate Concurrent Resolution No. 147.

Which was agreed to and the Senate concurred in House Amendment No. 2 to Senate Concurrent Resolution No. 147.

The question was put on the adoption of Senate Concurrent Resolution No. 147, as amended, which reads as follows:

Senate Concurrent Resolution No. 147:

A CONCURRENT RESOLUTION ADOPTING A SPECIAL RULE PROVIDING DURING THE LAST TEN WORKING DAYS OF THE 1953 SESSION, THE SENATE AND/OR HOUSE WILL NOT CONSIDER LEGISLATION FIXING, CHANGING, MODIFYING OR HAVING REFERENCE TO DATES OR TIMES OF OPERATION OF ESTABLISHMENTS WHERE PARIMUTUEL WAGERING IS CONDUCTED IN FLORIDA.

WHEREAS, in previous Sessions of the Legislature, during the latter part of each Session, controversial legislation dealing with establishments where parimutuel wagering is conducted has taken up a considerable portion of the working time of the Senate and House and has prevented both Houses from considering legislation of State-wide importance; and

WHEREAS, both the Senate and House desire to adopt a rule to prevent a recurrence during the 1953 Session of the conditions above referred to;

NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF

FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

Section 1. That the Senate and the House of Representatives do hereby adopt as a rule of procedure for the guidance of the two branches of the State Legislature a special rule as follows, to-wit:

"During the last ten working days of the 1953 Session of the Legislature, the Senate and the House of Representatives will not consider any legislation fixing dates of operation, changing dates of operation, or otherwise pertaining to or dealing with the period of operation of establishments in Florida where parimutuel wagering is conducted."

So Senate Concurrent Resolution No. 147, as amended, was adopted and referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 28, 1953

Hon. Charley E. Johns,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senators Collins, Franklin, Morrow, Black, Pope, Ripley and Johns—

S. B. No. 375—A bill to be entitled An Act changing the name of the institution of higher learning located at Tallahassee, Florida, heretofore known as Florida Agricultural and Mechanical College for Negroes or Florida Agricultural and Mechanical College, to Florida Agricultural and Mechanical University.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 375, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 27, 1953

Hon. Charley E. Johns,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Cook of Flagler—

H. B. No. 680—A bill to be entitled An Act to empower the Board of County Commissioners of Flagler County, Florida, to regulate and restrict within territory in Flagler County, Florida, not included in any municipality, the height, number of stories and size of buildings and other structures on land and water, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the use of land for junk yards, and automobile trailer camps and the location and use of buildings, structures and land for trade, industry, residence or other specific use of the premises: providing for the division of Flagler County, Florida into districts and within such districts to regulate and restrict the erection and construction, alteration, repair or use of buildings: providing for method of procedure: providing for the appointment of a zoning commission and a board of adjustment: providing for remedies and penalties for violation of this Act or of any order or resolution made under authority conferred hereby and conferring upon the County Commissioners of Flagler County, Florida,

so far as may be lawfully conferred the power to prescribe and enforce regulations to effectuate the purposes of this Act; and to legalize, ratify and confirm all Acts and proceedings had and taken by the Board of County Commissioners and Zoning Commission of Flagler County, Florida, and their officers and agents.

Proof of Publication Attached.

Also—

By Mr. Cook of Flagler—

H. B. No. 681—A bill to be entitled An Act to abolish the present municipal government of the Town of Bunnell, in Flagler County, State of Florida, and to organize, incorporate and establish a city government therefor, and to prescribe the jurisdiction, powers and functions of said municipality.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 680 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 680, contained in the above message, was read the first time by title only.

Senator Pope moved that the rules be waived and House Bill No. 680 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 680 was read the second time by title only.

Senator Pope moved that the rules be further waived and House Bill No. 680 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 680 was read the third time in full.

Upon the passage of House Bill No. 680 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 680 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 681 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 681, contained in the above message, was read the first time by title only.

Senator Pope moved that the rules be waived and House Bill No. 681 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 681 was read the second time by title only.

Senator Pope moved that the rules be further waived and House Bill No. 681 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 681 was read the third time in full.

Upon the passage of House Bill No. 681 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 681 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 27, 1953.

Hon. Charley E. Johns,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Shaffer and McLaren of Pinellas —

H. B. No. 669—A bill to be entitled An Act to provide for the incorporation of all lands in Pinellas County, Florida, included within the boundaries as set forth below, according to the public records of Pinellas County, Florida, as a special fire control district; to provide for the incorporation of all of said lands and territory into and as a special fire control district; to provide for and limit the powers, duties and liabilities of said district in and about obtaining the purchase and acquiring of fire-fighting equipment, fire stations, fire hydrants and water supply, in prevention of all types of fires; to provide for inspection of places of business, apartment houses, theatres and buildings where large groups of persons might congregate; to provide for the exercise and administration of the powers of said district by a Board of Commissioners to be named and appointed by the Governor of the State of Florida; to provide for raising all necessary funds for financing said district and all of its purposes; to provide for the levy, collection and enforcement of special assessments against and creating liens upon lands in said district in order to raise funds for the purposes of said district and to determine the benefits of such assessments and the priority and dignity of such liens in raising revenues for the purposes of said district; to provide for limitations of claims, demands and suits against said district; to authorize and empower such district to make and enter into contracts with firms and individuals, natural or corporate, relating to any and all of the purposes of said district; to authorize the borrowing of money for the purposes of the district and pledging of not over 50% of the total assessment roll on tax anticipation notes and to provide for and establish the proceedings by which said special fire control district shall become incorporated as a public municipal corporation to be known as: "Indian Rocks Special Fire Control District" and providing for a referendum.

Also—

By Mr. Andrews of Holmes—

H. B. No. 673—A bill to be entitled An Act to provide for the appointment of a county attorney for Holmes County, Florida, from certain counties; defining his duties and authorities and providing for payment of his compensation from certain fees in the county fine and forfeiture fund.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 669, contained in the above message, was read the first time by title only.

Senator Houghton moved that the rules be waived and House Bill No. 669 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 669 was read the second time by title only.

Senator Houghton moved that the rules be further waived and House Bill No. 669 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 669 was read the third time in full.

Upon the passage of House Bill No. 669 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 669 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 673 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 673, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 27, 1953

Hon. Charley E. Johns,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Papy of Monroe—

H. B. No. 685—A bill to be entitled An Act requiring candidates for nomination of recognized political parties to any county office of Monroe County, Florida to file sworn statements and receipts for assessments with and pay filing fees to the clerk of the circuit court of said county not later than noon February 1st of the year in which any primary election is held; repealing all laws and parts of laws, whether General or Special, in conflict with this Act to the extent

of such conflict; and providing when Act shall take effect.

Proof of Publication Attached.

Also—

By Miss Pearce of Highlands—

H. B. No. 688—A bill to be entitled An Act fixing the compensation of the superintendent of public instruction of Highlands County, Florida; designating the times and installments in which and the fund from which the same shall be paid; repealing all laws in conflict with this Act; and providing for retroactive operation of Act from July 1, 1951.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 685 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 685, contained in the above message, was read the first time by title only.

Senator Franklin moved that the rules be waived and House Bill No. 685 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 685 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 685 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 685 was read the third time in full.

Upon the passage of House Bill No. 685 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 685 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 688 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 688, contained in the above message, was read the first time by title only.

Senator Carlton moved that the rules be waived and House Bill No. 688 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 688 was read the second time by title only.

Senator Carlton moved that the rules be further waived

and House Bill No. 688 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 688 was read the third time in full.

Upon the passage of House Bill No. 688 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 688 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 27, 1953

*Hon. Charley E. Johns,*  
*President of the Senate.*  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Bollinger and Elliott of Palm Beach—

H. B. No. 656—A bill to be entitled An Act relating to East Shore Drainage District, a drainage district organized and existing under the Laws of Florida, and embracing lands within Palm Beach County, amending Section Eight (8) of Chapter 20694, Laws of Florida, Acts of 1941, as amended by Chapter 23621, Laws of Florida, Acts of 1947, as amended by Chapter 25151, Laws of Florida, Acts of 1949, as amended by Chapter 26697, Laws of Florida, Acts of 1951, relating to the levy of taxes upon the lands within East Shore Drainage District.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 656 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 656, contained in the above message, was read the first time by title only.

Senator Morrow moved that the rules be waived and House Bill No. 656 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 656 was read the second time by title only.

Senator Morrow moved that the rules be further waived and House Bill No. 656 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 656 was read the third time in full.

Upon the passage of House Bill No. 656 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 656 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 27, 1953

*Hon. Charley E. Johns,*  
*President of the Senate.*  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Papy of Monroe—

H. B. No. 652—A bill to be entitled An Act fixing the monthly compensation for each of the members of the Board of County Commissioners of Monroe County, Florida at a salary of three hundred dollars (\$300) per month; designating the fund out of which said compensation shall be paid; authorizing additional compensation for mileage actually travelled within Monroe County while attending to business of the county and including mileage for traveling to and from court house to attend meetings of board; authorizing additional compensation for actual expenses, including travel incurred in attending to business for the county beyond the limits of Monroe County; repealing all laws or parts of laws, whether general or special, in conflict with this act to the extent of such conflict; and providing when act shall take effect.

Proof of Publication Attached.

Also—

By Mr. Papy of Monroe—

H. B. No. 653—A bill to be entitled An Act making it the duty of the City Commission of the City of Key West, Florida to submit to the qualified electors of said city at the general municipal election to be held in said city in the year 1953 the question of changing the present form of government of said city to the mayor-and-council form of government; and providing when act shall take effect.

Proof of Publication Attached.

Also—

By Messrs. Bollinger and Elliott of Palm Beach—

H. B. No. 655—A bill to be entitled An Act authorizing Pahokee Drainage District to supply water control to certain lands in Pelican Lake Sub-drainage District, and providing for the compensation to be paid for the water control.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 652 when it was introduced in the Senate, and evidence

that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 652, contained in the above message, was read the first time by title only.

Senator Franklin moved that the rules be waived and House Bill No. 652 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 652 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 652 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 652 was read the third time in full.

Upon the passage of House Bill No. 652 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 652 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 653 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 653, contained in the above message, was read the first time by title only.

Senator Franklin moved that the rules be waived and House Bill No. 653 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 653 was read the second time by title only.

Senator Franklin moved that the rules be further waived and House Bill No. 653 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 653 was read the third time in full.

Upon the passage of House Bill No. 653 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 653 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 655 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 655, contained in the above message, was read the first time by title only.

Senator Morrow moved that the rules be waived and House Bill No. 655 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 655 was read the second time by title only.

Senator Morrow moved that the rules be further waived and House Bill No. 655 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 655 was read the third time in full.

Upon the passage of House Bill No. 655 the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 655 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 27, 1953

*Hon. Charley E. Johns,*  
*President of the Senate.*  
*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Zelmenovitz of Okeechobee—

H. B. No. 677—A bill to be entitled An Act authorizing and empowering the Board of County Commissioners of Okeechobee County, Florida, to construct, erect, maintain, operate, lease, equip and improve a municipal auditorium; to issue bonds for the payment of such project; to fix millages and to levy and assess taxes for the payment thereof and for interest thereon and for sinking funds therewith; providing that said Board of County Commissioners may pledge any race track funds, not otherwise appropriated, for the payment of such project; to charge fees for the use of such project and to contract with others for the managing of said auditorium and providing for a referendum in connection therewith.

Proof of Publication Attached.

Also—

By Mr. Zelmenovitz of Okeechobee—

H. B. No. 678—A bill to be entitled An Act declaring the establishment and maintenance of a central law library for the use of county officials and the judges and officers of the several courts of Okeechobee County, Florida, to be a public need, and for a general county purpose; and for the establishment and maintenance of an adequate central law library in Okeechobee County, Florida; and for the estab-



ishment and maintenance of said library with the excess fees collected by the clerks of the various courts of said county and from other excess fee funds of said county; providing that the first costs of establishment of said library may be paid from the general fund of said county budget for such purpose.

Proof of Publication Attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 677 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 677, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 678 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 678, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 28, 1953

Hon. Charley E. Johns,  
President of the Senate.  
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Jones of Madison—

H. B. No. 671—A bill to be entitled An Act relating to the fencing of livestock in Madison County, Florida; providing the liability of the owner of livestock running at large or straying; the impounding and sale of such livestock, prescribing the duty of county commissioners and sheriffs hereunder; providing punishment for violation of the provisions hereof; providing for a referendum; repealing certain laws in conflict herewith.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 671, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

#### CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING.

Senate Concurrent Resolution No. 240:

A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROVIDING FOR THE WITHDRAWAL OF FEDERAL GOVERNMENT FROM THE FIELD OF GASOLINE TAXES.

WHEREAS, The Federal gasoline tax is levied upon the users of American highways; and

WHEREAS, From time to time the United States has changed its rate of taxation on this commodity which action

makes it increasingly difficult for the respective states to develop a comprehensive tax program to provide revenues for the improvement and maintenance of their highways; and

WHEREAS, The highway system of this country and the highway systems of the several states are rapidly deteriorating because the funds needed to develop and maintain a modern highway network are not available; and

WHEREAS, The Federal Government is now distributing to the states only about two-thirds of the revenue which it is deriving from the Federal gasoline tax and is diverting the remainder to its other purposes; and

WHEREAS, If the Federal Government would withdraw from the field of gasoline taxes and the several states would increase the taxes imposed by them on gasoline and motor vehicle fuels in an amount equal to the Federal tax on gasoline, a much larger amount of revenue would be available to the several states for the purpose of developing and maintaining a modern system of highways therein; and

WHEREAS, The Eleventh General Assembly of the States which was held in Chicago, Ill., in the month of December, 1952, at which practically all of the states of the United States were represented, went on record as favoring the withdrawal of the Federal Government from the gasoline tax field; and

WHEREAS, The National Conference of Governors has declared by appropriate resolutions that the Federal Government should withdraw from the gasoline tax field: NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That we respectfully urge and request the Congress of the United States to enact legislation which will:

(1) Return to each state without restriction all Federal taxes on gasoline collected therein until such time as the individual state is able to enact legislation as may be necessary to permit it to collect such tax;

(2) Eliminate the tax on gasoline now collected by the United States as soon as the individual states have enacted legislation as may be necessary to permit the state to collect the tax;

(3) Eliminate Federal aid for highways except in those states where the revenues produced by a tax of two cents per gallon of gasoline is less than present Federal aid allocations to such states;

(4) Change the present functions of the Federal Bureau of Public Roads so that it would become a consultative and advisory engineering agency which would collect, correlate and disseminate information relative to the design, construction, maintenance and operation of highways and bridges and the materials used therefor, and

BE IT FURTHER RESOLVED that the Secretary of State be directed to transmit a copy of this resolution to the President of the United States, the Vice-President of the United States, the Speaker of the House of Representatives of the Congress of the United States, and each member of the Florida delegation in the United States House of Representatives and the United States Senate and to the respective houses of the legislatures of the several states of the United States.

Was taken up in its order and read the second time in full.

The question was put on the adoption of the Resolution.

Which was agreed to.

And Senate Concurrent Resolution No. 240 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 117 was taken up in its order and the consideration thereof was informally passed.

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 464, out of its order.

Which was agreed to.

S. B. No. 464—A bill to be entitled An Act to provide a permanent administrative assistant for the Grand Jury in all counties in this State having a population of 315,000, or more, according to the last State or Federal census, and fixing the salary of such permanent administrative assistant and appropriating monies for the payment thereof.

Was taken up.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 464 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 464 was read the second time by title only.

Senator Gautier (13th) offered the following amendment to Senate Bill No. 464:

In Section 1, line 2 (typewritten bill) strike out the figures "315,000" and insert in lieu thereof the following: 400,000.

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) also offered the following amendment to Senate Bill No. 464:

In line 5 of the title, strike out the figures "315,000" and insert in lieu thereof the following: 400,000.

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 464, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 464, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 464, as amended, the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 464 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 465, out of its order.

Which was agreed to.

S. B. No. 465—A bill to be entitled An Act to provide that the Grand Jury shall be the official custodian of its own records in all counties in the State of Florida having a population of 315,000, or more, according to the last State or Federal census.

Was taken up.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 465 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 465 was read the second time by title only.

Senator Gautier (13th) offered the following amendment to Senate Bill No. 465:

In Section 1, line 2, (typewritten bill) strike out the figures: "315,000" and insert in lieu thereof the following: 400,000

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) also offered the following amendment to Senate Bill No. 465:

In line 6 of the title, strike out the figures "315,000" and insert in lieu thereof the following: 400,000

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 465 as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 465, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 465, as amended, the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 465 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Gautier (13th) asked unanimous consent of the Senate to take up and consider Senate Bill No. 466, out of its order.

Which was agreed to.

S. B. No. 466—A bill to be entitled An Act to provide that in all counties in this State having a population of 315,000, or more, according to the last State or Federal census, the grand jury may exclude from any session of the grand jury any grand juror whom the grand jury determines to be disqualified or guilty of violating his oath or attempting to obstruct the proceedings or actions of the grand jury.

Was taken up.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 466 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 466 was read the second time by title only.

Senator Gautier (13th) offered the following amendment to Senate Bill No. 466:

In Section 1, line 2, (typewritten bill) strike out the figures: "315,000"

And insert in lieu thereof the following: 400,000

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) also offered the following amendment to Senate Bill No. 466:

In line 4 of the title, strike out the figures "315,000"

And insert in lieu thereof the following: 400,000

Senator Gautier (13th) moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Gautier (13th) moved that the rules be further waived and Senate Bill No. 466, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 466, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 466, as amended, the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So Senate Bill No. 466 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Gautier (13th) moved that the rules be waived and Senate Bill No. 252, which passed the Senate on April 27, 1953, be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote and the action of the Senate on Senate Bill No. 252 was ordered certified to the House of Representatives immediately.

Senator King moved that the Senate adjourn.

Which was agreed to and the Senate recessed at 12:59 o'clock P. M., until 3:00 o'clock P. M., this day pursuant to the motion made by Senator King, Chairman of the Committee on Rules and Calendar, on Friday, April 24, 1953.

## AFTERNOON SESSION

The Senate reconvened at 3:00 o'clock P. M., pursuant to recess order.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

—38.

A quorum present.

By permission the following Reports of Committees were received:

## REPORTS OF COMMITTEES

Senator Dayton, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bills:

S. B. No. 408—A bill to be entitled An Act appropriating a revolving fund to finance the Institutional On-Farm Training Program; providing for reversion to the general fund when training has been closed out.

S. B. No. 89—A bill to be entitled An Act relating to the Florida Board of Forestry; providing for an appropriation to be used to match or supplement federal funds used in forestry research work in the south Florida and Lake City areas.

S. B. No. 86—A bill to be entitled An Act providing for an appropriation to be used to match or supplement federal funds for the maintenance and support of the Chipola Experimental Forest in west Florida.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Dayton, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bills:

S. B. No. 65—A bill to be entitled An Act to provide for state aid to counties maintaining a free public library or library service; prescribing certain duties and authorities in dispensing such funds and in establishing standards of library services to be maintained by recipients of such state aid; making appropriation for such aid and prescribing the ratio of contributions thereof to the counties on the basis of matching county funds.

S. B. No. 303—A bill to be entitled An Act relating to public aid to needy persons who are permanently and totally disabled, defining permanent and total disability, prescribing requirements for eligibility, providing for administration thereof by the State Department of Public Welfare and making an appropriation therefor.

—and the Committee reports same without recommendation.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Douglas, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bill:

S. B. No. 478—A bill to be entitled An Act to authorize Max J. Mackler upon contributing the full amount he would have been required to contribute to the State officers and employees retirement system, to receive credit for prior service to the State under such retirement system.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Douglas, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bill:

S. B. No. 369—A bill to be entitled An Act for the relief of Estelle Collins, and providing an appropriation for damages sustained by her by reason of the negligent operation of a bridge by a bridge tender employed by the State Road Department, and providing for the payment of the same.

—and recommends that the same pass with Committee amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator McArthur, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following Bills:

S. B. No. 316—A bill to be entitled An Act relating to the Crippled Children's Commission; amending Section 391.07, Florida Statutes, by repealing provision requiring Juvenile

Court to determine financial ability of parents to pay for medical care and treatment of indigent crippled children and vesting such determination in the crippled children's Commission.

S. B. No. 329—A bill to be entitled An Act making the holding, owning, or having in possession of or paying the tax for a federal wagering occupational tax stamp prima facie evidence of violation of the Florida laws against gambling.

S. B. No. 330—A bill to be entitled An Act abolishing the entry of a nolle prosequi and providing the manner in which criminal prosecutions may be dismissed.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator McArthur, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following Bill:

S. B. No. 485—A bill to be entitled An Act amending Section 678.55, Florida Statutes, relating to issuance of warehouse receipts; regulating issuance of warehouse receipts and certificates issued by custodian of field warehouse; declaring certain Acts relative thereto to be crimes; providing a sentence therefor; repealing laws in conflict herewith.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator McArthur, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following Bill:

S. B. No. 370—A bill to be entitled An Act to amend Subsection (3) of Section 454.031, Florida Statutes, relating to requirements to admission to practice law.

—and recommends that the same pass with Committee amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Douglas, Chairman of the Committee on Pensions and Claims, reported that the Committee had carefully considered the following Bill:

S. B. No. 331—A bill to be entitled An Act to amend Section 291.04, Florida Statutes 1951, relating to Confederate pensions: providing for pensions for the widows of Confederate veterans, the amount thereof and the requirements therefor.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator McArthur, Chairman of the Committee on Judiciary "B", reported that the Committee had carefully considered the following Bill:

S. B. No. 328—A bill to be entitled An Act relating to special verdicts and general verdicts accompanied by answers to interrogatories in certain civil actions.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

H. B. No. 225—A bill to be entitled An Act relating to schools; amending Subsection (1) of Section 236.07, Florida Statutes, relating to the basis of distribution of the Foundation Program Fund to the several counties and defining the ranks of teacher certificate holders; and repealing Section

231.22, Florida Statutes, providing that special certificates may be issued by the State Superintendent of Public Instruction in certain circumstances.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

S. B. No. 273—A bill to be entitled An Act to consolidate the University of Florida and Florida State University into "The State University of Florida," which shall continue to be governed by the State Board of Control and the State Board of Education, and shall be administered by a single executive who shall have the title of "President of the State University of Florida"; providing that no program of higher education may receive financial support from the State of Florida except as such program shall become a duly established component part of the State University of Florida; except appropriations for regional education, out of state aid for Negroes, the University of Miami Medical School and marine biological research for the State Board of Conservation and grants for existing junior colleges under the minimum foundation program; providing for the appointment of a commission of twelve members, the duty of which shall be to prepare and recommend detailed plans for achieving the separation of educational functions and the administrative unification of such consolidation; appropriating the sum of \$100,000.00 to defray the expenses of and the work of such commission; providing that the Board of Control and the State Board of Education shall have the final approval of the recommendations of the commission, and providing that this Act shall take effect July 1, 1953.

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on Appropriations, under the original joint reference.

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bills:

S. B. No. 213—A bill to be entitled An Act amending subsection 1 of Section 231.09 Florida Statutes, 1951, relating to duties of instructional personnel of the public school system to exempt from certain types of instruction pupils whose parents object to such instruction on religious grounds.

S. B. No. 214—A bill to be entitled An Act to amend Section 232.30, Florida Statutes, 1951, relating to medical examination of school children by providing for exemption of any child therefrom whose parents or guardian object on religious grounds.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

S. B. No. 221—A bill to be entitled An Act to require the State Board of Control to submit a schedule of certain fees and charges for institutions of higher learning with the legislative budgets and to prohibit an increase in such fees and charges.

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on Judiciary "B", under the original joint reference.

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bills:

S. B. No. 124—A bill to be entitled An Act relating to education, courses of study, curriculum, textbooks, curriculum committee, public school libraries, and amending Sections 233.01, 233.02, 233.03, 233.04, 233.05, 233.06, 233.11, 233.13,

233.14, Subsection (1) of Section 233.16, and Sections 233.17, 233.18, 233.25, 233.26, 233.34, 233.37, and repealing Sections 233.07, 233.08, 233.09 and 233.33, Florida Statutes.

S. B. No. 135—A bill to be entitled An Act authorizing the State Board of Education to designate the State Board of Administration as its fiscal agent for all bonds or certificates which may be issued under the authority granted to the State Board of Education in Section 18, of Article XII of the State Constitution, said fiscal agent to be governed by rules and regulations of the State Board of Education, providing a method which may be used for the disposition of proceeds of any sale of bonds or certificates to be issued under said article and further authorizing the State Board of Administration to administer the Debt Service Fund of said bonds or certificates if requested to do so by the State Board of Education.

S. B. No. 222—A bill to be entitled An Act to repeal Section 241.47, Florida Statutes, creating the University of South Florida.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

S. B. No. 72—A bill to be entitled An Act to amend Section 234.01, Florida Statutes, relating to transportation of school children and to amend Subsection (1) of Section 236.05, Florida Statutes, relating to procedure for determining number of Transportation units; by providing for transportation of school children whose homes are more than one mile from the nearest school and to provide financing therefor.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following bill:

S. B. No. 223—A bill to be entitled An Act to amend Section 236.04, Florida Statutes, relating to the Minimum Foundation Program, by deleting reference to kindergartens and limiting grades thirteen and fourteen to existing junior colleges in the computation of instruction units; repealing Subsection (3) of Section 236.04, Florida Statutes, relating to instruction units for attendance in kindergartens; by requiring each county to employ a number of teachers not less than 95% of the instruction units calculated for such county and upon failure so to do to have such instruction units reduced; and making this Act effective July 1, 1953.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following bill:

S. B. No. 383—A bill to be entitled An Act relating to education; amending the first paragraph of Section 236.02(3), Florida Statutes, providing requirements of counties for participation in the Foundation Program Fund by redefining the employment policies for instructional personnel.

—and recommends that the same pass with Committee amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 354—A bill to be entitled An Act amending Section 40.24, Florida Statutes, relating to the pay of jurors.

S. B. No. 361—A bill to be entitled An Act relating to appellate transcripts and records; authorizing circuit judges to forward original files to Supreme Court.

S. B. No. 365—A bill to be entitled An Act amending Subsection (2) of § 59.02, Florida Statutes, and repealing Subsection (3) of § 59.02, Florida Statutes, relating to interlocutory appeals in equity.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 366—A bill to be entitled An Act making attorneys' fees to the successful party a condition of all supersedeas bonds.

S. B. No. 424—A bill to be entitled An Act to amend Section 702.02, Florida Statutes, 1951, relating to the foreclosure of mortgages.

S. B. No. 450—A bill to be entitled An Act to amend Section 473.08, Florida Statutes, 1941, as amended, relating to the practice of public accounting; providing for eligibility to take the examination for certified public accountants and the conditions for issuing certificates to practice as certified public accountants to the persons taking and passing said examination: defining residence for the purpose of eligibility: placing authority with the State Board of Accountancy for determining standards of accreditation of colleges and universities for purposes of eligibility of graduates: determining what person shall be entitled to take an examination: determining that certain business schools or colleges: approved by the Florida State Association of business colleges shall be considered as accredited schools and colleges: and repealing all laws in conflict herewith.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 318—A bill to be entitled An Act to amend Chapter 78, Florida Statutes 1951, and particularly Section 78.01 relating to actions of replevin.

S. B. No. 319—A bill to be entitled An Act amending Section 36.17, Florida Statutes, relating to the fees to be charged by county judges.

S. B. No. 336—A bill to be entitled An Act to make the unlawful sale, gift, or furnishing of narcotic drugs to a minor an offense punishable by death.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 477—A bill to be entitled An Act to amend Section 317.20, Florida Statutes, making it unlawful to drive while under the influence of intoxicating liquors by the addition of Subsection (3); providing tests of persons accused of violations and regulating use of results of such tests as evidence in civil or criminal suits; establishing presumptions.

S. B. No. 359—A bill to be entitled An Act amending Section 40.02 (1), Florida Statutes, relating to the number of persons for the selection of Jury lists.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Beall, Chairman of the Committee on Judiciary

"A", reported that the Committee had carefully considered the following Bills:

S. B. No. 25—A bill to be entitled An Act amending Chapter 467, Florida Statutes, relating to architects, by adding an additional Section providing for the enforcement of State laws and rules, regulations or orders of the State Board of Architecture by civil proceedings.

S. B. No. 227—A bill to be entitled An Act amending Section 849.12, Florida Statutes, relating to the forfeiture of money and prizes used in the operation of lotteries and other gambling.

S. B. No. 275—A bill to be entitled An Act amending Section 394.23 Subsection (2) Florida Statutes 1951 providing for compensation for resident practicing physicians appointed on examining committees for mentally and physically incompetent persons; providing for a minimum and maximum of such compensation, and for certification by the County Judge to the Board of County Commissioners for any such compensation exceeding the minimum; repeal of laws in conflict herewith, and providing for effective date thereof.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Beall, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bill:

S. B. No. 364—A bill to be entitled An Act amending Section 65.08, Florida Statutes, relating to alimony upon decree of divorce and providing for lien against deceased ex-husband's estate.

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

#### ENROLLING REPORTS

Your Enrolling Clerk, to whom was referred—

H. B. No. 734

—begs leave to report same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on April 28, 1953.

Very respectfully,

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Enrolling Clerk  
of the Senate.

#### CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

S. B. No. 126—A bill to be entitled An Act to amend Section 40.10 of Florida Statutes relating to jury lists and duties of Jury Commissioners in certain counties.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 126 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 126 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 126 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 126 was read the third time in full.

Upon the passage of Senate Bill No. 126 the roll was called and the vote was:

Yeas—31.

Mr. President	Collins	Gautier (28th)	Pearce
Baker	Connor	Hodges	Ripley
Beall	Crary	Houghton	Rodgers
Black	Davis	Johnson	Rogells
Boyle	Dayton	Lewis	Shands
Bronson	Douglas	McArthur	Sturgis
Carlton	Floyd	Melvin	Tapper
Clarke	Franklin	Morrow	

Nays—None.

So Senate Bill No. 126 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 127—A bill to be entitled An Act relating to habitual criminals; specifying what shall be deemed to constitute a conviction within the contemplation of Sections 775.09, 775.10 and 775.11, Florida Statutes, and declaring the Legislative intent of this point when it enacted said Statutes; and prescribing the effective date hereof.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 127 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 127 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 127 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 127 was read the third time in full.

Upon the passage of Senate Bill No. 127 the roll was called and the vote was:

Yeas—10.

Connor	Gautier (28th)	Pope	Shands
Crary	King	Ripley	
Franklin	Morrow	Rogells	

Nays—26.

Mr. President	Carlton	Gautier (13th)	Melvin
Baker	Clarke	Houghton	Pearce
Beall	Collins	Johnson	Rodgers
Black	Davis	Leard	Sturgis
Boyle	Dayton	Lewis	Tapper
Branch	Douglas	Lindler	
Bronson	Floyd	McArthur	

So Senate Bill No. 127 failed to pass.

S. B. No. 19—A bill to be entitled An Act providing that pension or profit sharing plans and programs shall not be subject to the rule against perpetuities; the rule against suspension of the power of alienation or the rule against accumulation of income.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 19 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 19 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 19 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 19 was read the third time in full.

Upon the passage of Senate Bill No. 19 the roll was called and the vote was:

Yeas—13.

Beall	Crary	Leaird	Shands
Boyle	Franklin	McArthur	
Clarke	Gautier (13th)	Morrow	
Connor	King	Ripley	

Nays—24.

Mr. President	Collins	Hodges	Pearce
Baker	Davis	Houghton	Pope
Black	Dayton	Johnson	Rodgers
Branch	Douglas	Lewis	Rogells
Bronson	Floyd	Lindler	Sturgis
Carlton	Gautier (28th)	Melvin	Tapper

So Senate Bill No. 19 failed to pass.

S. B. No. 59—A bill to be entitled An Act to amend Section 811.02, Florida Statutes, relating to petit larceny, by adding thereto provisions prescribing an increased punishment for persons who commit petit larceny after having previously been convicted two times of petit larceny and by prescribing the procedure for imposing such increased punishment; and prescribing the effective date hereof.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 59 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 59 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 59 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 59 was read the third time in full.

Upon the passage of Senate Bill No. 59 the roll was called and the vote was:

Yeas—12.

Mr. President	Bronson	Crary	Ripley
Beall	Collins	Gautier (13th)	Rogells
Branch	Connor	Pope	Shands

Nays—21.

Baker	Douglas	King	Pearce
Black	Floyd	Leaird	Rodgers
Carlton	Gautier (28th)	Lewis	Sturgis
Clarke	Hodges	Lindler	
Davis	Houghton	McArthur	
Dayton	Johnson	Melvin	

So Senate Bill No. 59 failed to pass.

S. B. No. 105—A bill to be entitled An Act amending Section 317.17, Florida Statutes, relating to confidential accident reports and providing that investigative report of any officer shall not be entitled to the privilege extended to operator's accident report.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 105 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 105 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 105 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 105 was read the third time in full.

Upon the passage of Senate Bill No. 105 the roll was called and the vote was:

Yeas—36.

Mr. President	Collins	Gautier (13th)	Melvin
Baker	Connor	Hodges	Morrow
Beall	Crary	Houghton	Pearce
Black	Davis	Johnson	Pope
Boyle	Dayton	King	Ripley
Branch	Douglas	Leaird	Rodgers
Bronson	Floyd	Lewis	Rogells
Carlton	Franklin	Lindler	Shands
Clarke	Gautier (28th)	McArthur	Sturgis

Nays—None.

So Senate Bill No. 105 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 5—A bill to be entitled An Act relating to manslaughter by motor vehicle; providing for penalty.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 5 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 5 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 5 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 5 was read the third time in full.

Upon the passage of Senate Bill No. 5 the roll was called and the vote was:

Yeas—2.

McArthur	Ripley
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Nays—32.

Mr. President	Collins	Gautier (13th)	Melvin
Baker	Crary	Hodges	Pearce
Black	Davis	Houghton	Pope
Boyle	Dayton	Johnson	Rodgers
Branch	Douglas	King	Rogells
Bronson	Floyd	Leaird	Shands
Carlton	Franklin	Lewis	Sturgis
Clarke	Gautier (28th)	Lindler	Tapper

So Senate Bill No. 5 failed to pass.

S. B. No. 13—A bill to be entitled An Act to amend Section 454.18, Florida Statutes, relating to persons not allowed to practice law in Florida by repealing the prohibition against persons convicted of infamous crimes.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 13 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 13 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 13 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 13 was read the third time in full.

Upon the passage of Senate Bill No. 13 the roll was called and the vote was:

Yeas—2.

Beall	Ripley
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Nays—35.



Mr. President	Connor	Hodges	Morrow
Baker	Crary	Houghton	Pearce
Beall	Davis	Johnson	Pope
Boyle	Dayton	King	Rodgers
Branch	Douglas	Leaird	Rogells
Bronson	Floyd	Lewis	Shands
Carlton	Franklin	Lindler	Sturgis
Clarke	Gautier (28th)	McArthur	Tapper
Collins	Gautier (13th)	Melvin	

So Senate Bill No. 13 failed to pass.

S. B. No. 15—A bill to be entitled An Act amending Section 701.04, Florida Statutes, relating to satisfaction of mortgages, liens, and judgments.

Was taken up in its order.

Senator Ripley moved that the rules be waived and Senate Bill No. 15 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 15 was read the second time by title only.

Senator Franklin offered the following amendment to Senate Bill No. 15:

In typewritten bill, at the end of Section 1, add the following: "Provided the provisions hereof shall not be applicable in counties having one hundred thousand population or less according to the last preceding Federal census."

Senator Franklin moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ripley moved that the rules be further waived and Senate Bill No. 15, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 15, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 15, as amended, the roll was called and the vote was:

Yeas—12.

Boyle	Connor	Gautier (13th)	Ripley
Branch	Crary	Leaird	Rodgers
Bronson	Franklin	Morrow	Rogells

Nays—25.

Mr. President	Davis	Johnson	Pope
Baker	Dayton	King	Shands
Beall	Douglas	Lewis	Sturgis
Black	Floyd	Lindler	Tapper
Carlton	Gautier (28th)	McArthur	
Clarke	Hodges	Melvin	
Collins	Houghton	Pearce	

So Senate Bill No. 15, as amended, failed to pass.

Senator Rodgers asked unanimous consent of the Senate to take up and consider House Bill No. 29, out of its order.

Which was agreed to.

H. B. No. 29—A bill to be entitled An Act to amend Sub-section (4) of Section 634.07, Florida Statutes 1951, relating to examination of life insurance agents in those instances where a license is applied for to represent an insurer authorized to transact an accident and health, as well as a life insurance business.

Was taken up.

Senator Rodgers moved that the rules be waived and House Bill No. 29 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 29 was read the second time by title only.

Senator Rodgers moved that the rules be further waived

and House Bill No. 29 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 29 was read the third time in full.

Upon the passage of House Bill No. 29 the roll was called and the vote was:

Yeas—35.

Mr. President	Connor	Gautier (13th)	Pearce
Baker	Crary	Hodges	Pope
Beall	Davis	Houghton	Ripley
Black	Dayton	Johnson	Rodgers
Boyle	Douglas	Leaird	Rogells
Bronson	Floyd	Lindler	Shands
Carlton	Franklin	McArthur	Sturgis
Clarke	Fraser	Melvin	Tapper
Collins	Gautier (28th)	Morrow	

Nays—None.

So House Bill No. 29 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Rodgers withdrew Senate Bill No. 44.

Senator Rodgers asked unanimous consent of the Senate to take up and consider House Bill No. 28, out of its order.

Which was agreed to.

H. B. No. 28—A bill to be entitled An Act to amend Section 634.06, Florida Statutes, relating to an investigation and examination of prospective insurance agents and duties of commissioner in connection therewith by adding a sub-section to be numbered Sub-section (3), providing that insurers keep on file detailed credit and character reports on individuals qualifying as agents for the first time and to furnish the commissioner such information as he may reasonably require; to renumber the present Sub-section (3) as Sub-section (4).

Was taken up.

Senator Rodgers moved that the rules be waived and House Bill No. 28 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 28 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 28 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 28 was read the third time in full.

Upon the passage of House Bill No. 28 the roll was called and the vote was:

Yeas—34.

Mr. President	Connor	Houghton	Pope
Baker	Crary	King	Ripley
Beall	Davis	Leaird	Rodgers
Black	Douglas	Lewis	Rogells
Boyle	Franklin	Lindler	Shands
Bronson	Fraser	McArthur	Sturgis
Carlton	Gautier (28th)	Melvin	Tapper
Clarke	Gautier (13th)	Morrow	
Collins	Hodges	Pearce	

Nays—None.

So House Bill No. 28 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Rodgers withdrew Senate Bill No. 45.

Senator Rodgers asked unanimous consent of the Senate to take up and consider House Bill No. 23, out of its order.

Which was agreed to.

H. B. No. 23—A bill to be entitled An Act to amend Subsection 642.04(2), Florida Statutes, relating to group accident and sickness insurance, and Section 642.06, Florida Statutes, relating to blanket sickness and accident insurance, as follows: By adding to said Subsection 642.04(2) a provision that coverage may be issued to dependents of those specifically now described as subject to coverage, and providing for a single group policy coverage for employees of corporations under common control; by adding to Section 642.06 a new subsection to be designated as Subsection (5) providing for blanket sickness and accident insurance coverage for those attending summer camps or other meetings held for religious, instructive or recreational purposes by described organizations, individuals, firms or corporations; and fixing the effective date of this Act.

Was taken up.

Senator Rodgers moved that the rules be waived and House Bill No. 23 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 23 was read the second time by title only.

Senator Rodgers moved that the rules be further waived and House Bill No. 23 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 23 was read the third time in full.

Upon the passage of House Bill No. 23 the roll was called and the vote was:

Yeas—35.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	King	Ripley
Black	Douglas	Leaird	Rodgers
Boyle	Floyd	Lewis	Rogells
Bronson	Franklin	Lindler	Shands
Carlton	Fraser	McArthur	Sturgis
Clarke	Gautier (28th)	Melvin	Tapper
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 23 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Rodgers withdrew Senate Bill No. 47.

Senator Crary moved that the rules be waived and the Senate immediately reconsider the vote by which House Bill No. 636 passed the Senate on April 27, 1953.

H. B. No. 636—A bill to be entitled An Act incorporating the Saint Lucie County Sanitary District: providing for its

government and the administration of its affairs by the board of county commissioners and the clerk of the circuit court of Saint Lucie County; providing certain duties of owners of lands within the district as to the filling of breeding places of mosquitoes and other arthropoda and for the payment of the cost thereof; providing certain duties and responsibilities of the State Board of Health; and providing that said district shall be a special taxing district for the elimination of mosquitoes, house flies, sand flies and other arthropoda; repealing Chapter 22460, Acts of 1943 and Chapter 13369, Acts of 1927.

The President put the question: "Will the Senate reconsider the vote by which House Bill No. 636 passed the Senate on April 27, 1953?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which House Bill No. 636 passed the Senate on April 27, 1953.

The question recurred on the passage of House Bill No. 636.

Pending roll call on the passage of House Bill No. 636, by unanimous consent Senator Crary offered the following amendment to House Bill No. 636:

In Section 14 Subsection 10, lines 3 and 4, (typewritten bill) strike out the words:

"for in the preceding paragraph shall be paid upon the date provided"

Senator Crary moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Crary moved that the rules be further waived and House Bill No. 636, as amended, be read in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 636, as amended, was read in full.

Upon the passage of House Bill No. 636, as amended, the roll was called and the vote was:

Yeas—38.

Mr. President	Connor	Hodges	Pearce
Baker	Crary	Houghton	Pope
Beall	Davis	Johnson	Ripley
Black	Dayton	King	Rodgers
Boyle	Douglas	Leaird	Rogells
Branch	Floyd	Lewis	Shands
Bronson	Franklin	Lindler	Sturgis
Carlton	Fraser	McArthur	Tapper
Clarke	Gautier (28th)	Melvin	
Collins	Gautier (13th)	Morrow	

Nays—None.

So House Bill No. 636 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 5:03 o'clock P.M., until 11:00 o'clock A.M., Wednesday, April 29, 1953.